



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

April 18, 2012

Doug Hursh
Potter Lawson, Inc.
15 Ellis Potter Court
Madison, Wisconsin 53711

RE: Approval of a request to rezone 725-749 University Row from Planned Unit Development-General Development Plan (PUD-GDP) to Amended Planned Unit Development-General Development Plan-Specific Implementation Plan (PUD-GDP-SIP) to allow construction of a mixed-use building with 115 apartments and 5,800 square feet of retail surrounding a 337-stall parking garage, and a three-story, 54,000 square-foot office/retail building in the University Crossing Planned Unit Development. (University Crossing, LLC)

Dear Mr. Hursh;

At its April 17, 2012 meeting, the Common Council **conditionally approved** your application to amend the PUD-GDP for University Crossing and a PUD-SIP for Buildings 4 and 6, subject to the following conditions of approval, which shall be satisfied prior to final approval and recording of the planned unit development and the issuance of permits for new construction:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-four (24) items:

1. The concurrent CSM application shall be completed and CSM recorded with the Dane County Register of Deeds so that proper Address-Parcel-Owner (APO) data can be compiled and activated in appropriate city databases to ensure that all building permits are to be administered and issued under the current and appropriate parcel data.
2. Communications via email from Krupp Construction Project Manager Mark DeAmicis indicates the proposed University Crossing Apartments have modified their floor plans to increase the number of proposed units from 115 to 118. Once approvals are obtained for this increase, please coordinate the final address plan for the site with City Engineering Mapping staff (Lori Zenchenko LZenchenko@cityofmadison.com or 266-5952).
3. The applicant will provide information showing that the loading dock can sustain greater than 1 foot of ponding at the inlet without flooding the structure or shall switch to a pump system.
4. The proposed "public" sanitary sewer in the easement was not included in the City's sewer extension submittal. If the sewer is to be public, a sewer extension submittal will need to be completed by the City Staff. If the sewer is to be private, the sanitary sewer will need to be labeled as private. Typically, water and sanitary are either both public or both private.

5. The applicant shall review proposed storm and sanitary sewer plans with the City Engineer for compatibility with the proposed construction project on University Avenue.
6. Extend proposed public sewer easement to allow for sewer maintenance access off of Silvertree Run.
7. The applicant shall coordinate all construction activities with the University Avenue Street Reconstruction Project.
8. Building permits for this project shall not be approved until the existing 42-inch public storm sewer is relocated and the existing public storm sewer easement is released per the plans approved for the University Crossing Plat.
9. Redesign the private storm sewer to be relocated outside the proposed public sanitary and public water main easement(s).
10. Additional separate access easements for maintenance and repairs will be required for the public sanitary and water main.
11. The construction of this building will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.
12. The approval of this planned unit development does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
13. The applicant shall provide the City Engineer with a survey indicating the grade of the existing sidewalk and street. The applicant shall hire a Professional Engineer to set the grade of the building entrances adjacent to the public right of way. The applicant shall provide the City Engineer the proposed grade of the building entrances. The City Engineer shall approve the grade of the entrances prior to signing off on this development.
14. The applicant shall replace all sidewalk and curb and gutter abutting the property, which is damaged by the construction, or any sidewalk and curb and gutter that the City Engineer determines needs to be replaced because it is not at a desirable grade regardless of whether the condition existed prior to beginning construction.
15. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
16. All work in the public right of way shall be performed by a City-licensed contractor.

17. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan in PDF format to Dean Kahl, of the City Parks Department - dkahl@cityofmadison.com or 266-4816.
18. All damage to the pavement on University Avenue, University Row, Silvertree Run, and N. Whitney Way adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
19. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
20. Prior to final approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.
21. The applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division. (Lori Zenchenko) lzenchenko@cityofmadison.com. The digital copies shall be drawn to scale and represent final construction including: building footprints, internal walkway areas, internal site parking areas, lot lines/ numbers/ dimensions, street names, and other miscellaneous impervious areas. All other levels (contours, elevations, etc) are not to be included with this file submittal. E-mail file transmissions are preferred. The digital CAD file shall be to scale and represent final construction. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format. Please include the site address in this transmittal.
22. The applicant shall submit, prior to plan sign-off, digital PDF files to the City Engineering Division. The digital copies shall be to scale, shall have a scale bar on the plan set, and shall contain the following items: building footprints; internal walkway areas; internal site parking areas; lot lines and right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).
23. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction. (Per MGO 37.05(7))
24. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior Engineering sign-off, unless otherwise collected with a Developer's Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of two working days prior to requesting City Engineering Division signoff.

Please contact Bryan Walker of the Traffic Engineering Division at 267-8754 if you have questions about the following four (4) items:

25. All on street loading and parking restrictions shall be reviewed and approved by Traffic Engineering after the project is completed. The loading zone shown on University Row is not approved with this plan and shall be removed when final plans are submitted for approval. All loading zones required by Zoning will need to be accommodated on site without using public right of way.

26. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet overhang, and a scaled drawing at 1" = 20'.
27. The developer shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
28. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following item:

29. Provide fire apparatus access as required by IFC 503 2009 edition, MGO 34.503, as follows:
 - a.) Provide a fire lane that extends to within 150 feet of all exterior portions of the structure, or it can be extended to within 250 feet if the building is fully sprinklered.
 - b.) Fire lanes shall be unobstructed; there are obstructions shown on the fire lane, remove all obstructions. Examples of obstructions: including but not limited to; parking stalls, loading zones, changes in elevation, power poles, trees, bushes, fences or posts.
 - c.) Fire lanes shall be constructed of concrete or asphalt only, and designed to support a minimum load of 85,000 lbs.
 - d.) Where there is a change in the direction of a fire lane, the minimum inside turning radius shall be at least 28 feet.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions regarding the following two (2) items:

30. This property is in a Wellhead Protection District. The Water Utility General Manager or his designated representative shall approve all future land uses on this property.
31. The applicant shall notify the Madison Water Utility of any private wells located on this property. All private wells shall be abandoned in accordance with MGO Sec. 13.21.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions regarding the following item:

32. The developer shall pay approximately \$259,890.80 for park dedication and development fees for the 115 new multi-family units. The developer must select a method for payment of park fees before signoff on the SIP. This development is within the Garner Park impact fee district (SI29).

Please contact my office at 261-9632 if you have questions about the following four (4) items, including the condition revised (#34) and the condition added (#36) by the Plan Commission on April 9, 2012:

33. That the applicant work with the Planning Division prior to final approval for recording and the issuance of building permits to refine Section 1 of the letter of intent to modify or remove sections of the text not pertinent to the approval of Buildings 4 and 6.

34. That a final Transportation Demand Management Plan be submitted for approval by the Director of the Planning Division prior to recording of the specific implementation plan for Buildings 4 and 6. The final TDM shall remove all references to TDM provisions not specifically applicable to these buildings, and shall identify a transportation coordinator for Buildings 4-6 to serve as a central resource for transportation information and incentives for tenants of those buildings. Information about the Metro Transit Commute Card program shall be added as part of the duties of the transportation coordinator in the final Transportation Demand Management plan for this project.
35. That the developer receive final approval from the Urban Design Commission of the specific implementation plan prior to recording of the Planned Unit Development [*This condition was satisfied on April 4, 2012 – no further action on your part is necessary.*]
36. That the applicant incorporate the stormwater management plans presented to the Urban Design Commission and Plan Commission into the Developer's Agreement for the project and the final specific implementation plan for Buildings 4 and 6;

The applicant is also required to satisfy the conditions of approval of the Urban Design Commission prior to the final staff approval of the project and the issuance of permits. Please contact Al Martin, Urban Design Commission Secretary, at 267-8740 if you have any questions about those conditions.

Approval of the plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

After the planned unit development has been revised per the above conditions, please file **ten (10) sets** of complete, fully dimensioned, and to-scale plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12 (10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec.

29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Bryan Walker, Traffic Engineering Division
Bill Sullivan, Madison Fire Department
Kay Rutledge, Parks Division
Dennis Cawley, Madison Water Utility
Pat Anderson, Asst. Zoning Administrator

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input checked="" type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Rec. Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: